

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, August 22, 2017

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Kate Beaton, Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Kathy Mitchell, David Strobel, Tim Tewalt, Bob Von Haden, Terry Weld, Andrew Werthmann, and Michael Xiong. Absent: none.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, August 22, 2017:

- Adopting the Consent Agenda.
- Approving the Minutes of the August 8, 2017 City Council Legislative Meeting.
- Granting new bartender licenses.
- Granting the renewal of bartender licenses for the 2017-2019 licensing period.
- Granting a Change of Agent for the Class A Intoxicating Liquor (Cider only) & Class A Fermented Malt Beverage license of Cenergy, LLC, d/b/a Mega Holiday #3713, 3702 Gateway Drive, from Dylan Langness to Susan Goettl.
- Granting a Change of Agent for the Class A Intoxicating Liquor (Cider only) & Class A Fermented Malt Beverage license of Cenergy, LLC, d/b/a Mega Holiday #3719, 2940 N. Clairemont Avenue, from Bethany J. Stoval to Julie A. Oman.
- Granting a temporary expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Bear Creek Grill, Inc., d/b/a Grizzly's Wood-Fired Grill & Steaks, 4890 Golf Road for a Pig Roast event, August 24, 2017.
- Granting a temporary expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Hobbsy LTD, d/b/a Hobbsy & Me, 3620 Locust Lane, to include a fenced in area for a one-day Frogtober Fest concert, October 7, 2017.
- Granting a temporary expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Hobbsy LTD, d/b/a Hobbsy & Me, 3620 Locust Lane, to include a fenced in area for a one-day Western Wisconsin Tailgate Grilling Contest, September 16, 2017.
- Granting a Combination Class A Intoxicating Liquor & Fermented Malt Beverage license to Skogen's Foodliner, Inc., d/b/a Festival Foods, 2717 Birch Street, Michael Siakpere, agent.
- Granting a Combination Class A Intoxicating Liquor & Fermented Malt Beverage license to Skogen's Foodliner, Inc., d/b/a Festival Foods, 2615 N. Clairemont Avenue, Michael Siakpere, agent.
- Authorizing Downtown Eau Claire, Inc. to conduct the International Fall Festival on Saturday, September 23, 2017 in downtown Eau Claire and along city streets.

- Authorizing the Special Olympics Wisconsin to conduct the Buckshot Run on Tuesday, August 29, 2017, at Carson Park and along city trails and sidewalks.
- Granting a Temporary Class B Fermented Malt Beverage license and Temporary Class B Wine license to Special Olympics Wisconsin Indianhead Region, Paul Baniel, president, for August 29, 2017 in the area between Oak and Pine Pavilions at Carson Park for the Leader-Telegram Little Buckshot Run for Special Olympics.
- Authorizing the Special Olympics Wisconsin to conduct the Buckshot Run on Saturday, September 2, 2017, at Carson Park and along city trails and sidewalks.
- Granting a Temporary Class B Fermented Malt Beverage license and Temporary Class B Wine license to Special Olympics Wisconsin Indianhead Region, Paul Baniel, president, for September 2, 2017 in the area between Oak and Pine Pavilions at Carson Park for the Leader-Telegram Buckshot Run for Special Olympics.
- Authorizing the City of Eau Claire Police Department to apply for Edward Byrne Memorial Justice Assistance Grant (JAG) formula program funds from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.
- Awarding JLG Architects a contract for architectural services for Procurement No. 2017-48, Space Needs, Analysis, Assessment of Current Facilities and Architectural Design for City Hall.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Beaton “to adopt the consent resolution”. Said motion passed by unanimous vote.

COMMENDATIONS AND PROCLAMATIONS

Council President Kincaid, on behalf of the City Council, commends and congratulates the Eau Claire Post 53 American Legion Baseball Team on winning the American Legion State Championship, bringing honor and recognition to our entire community.

LICENSING

The City Council considered a resolution granting a temporary expansion of the “Reserve” Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Redtail Enterprises Inc., d/b/a Roble Tacos & Tequila, 5020 Keystone Crossing, to include a fenced in area for a one-day La Tomatina event, August 29, 2017. Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Weld “to adopt the resolution”. Said motion passed by unanimous vote.

SPECIAL EVENTS

The City Council considered a resolution authorizing the City of Eau Claire, Community Parks Association and Downtown Eau Claire, Inc. to conduct the Clearwater Winter Parade and Let it Glow! on Friday, December 1, 2017, at Phoenix Park and along Grand Avenue and First Avenue in Eau Claire. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

GRAND EVENING ON THE BRIDGE

The City Council considered a resolution authorizing Downtown Eau Claire, Inc. to conduct A Grand Evening on the Bridge on Wednesday, August 23, 2017, on the Grand Avenue Bridge. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Strobel “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution granting a Temporary Class B Fermented Malt Beverage license and Temporary Class B Wine license to Downtown Eau Claire Inc., Vicki Hoehn, President, on August 23, 2017, on the Grand Avenue Foot Bridge, for the 4th Annual Grand Evening on the Bridge. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

Council Member Beaton left the Council Chamber.

APPOINTMENTS

The City Council considered a resolution approving appointments and reappointments to various Boards, Committees and Commissions:

Housing Advisory Board

Susan Wolfgram (appointment to an unexpired three-year term, to expire April 30, 2018)

Transit Commission

Nick Webber (reappointment to a one-year term as Student Representative, to expire August 31, 2018)

Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Emmanuelle “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Mitchell, Strobel, Tewalt, Von Haden, Weld, Werthmann, and Xiong. Nay: none

Council Member Beaton returned to the Council Chamber.

AGREEMENTS

The City Council considered a resolution approving the Memorandum of Understanding between the City of Eau Claire and the Eau Claire Petanque Group in regards to the creation of Petanque Courts at Wilson Park. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Tewalt “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution approving the First Amendment to the 2017 Urban Mass Transit Operating Assistance Grant Agreement with the State of Wisconsin Department of Transportation. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution approving an amendment to the Loan Agreement between the Gateway Industrial Park Corporation, the City of Eau Claire and Xcel Energy. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

FINAL PLAT

The City Council considered a resolution approving the final plat for Jeffers Road Townhomes III as shown on Planning File P-4-12. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by unanimous vote.

OLD TOWN HALL ROAD

The City Council considered a resolution authorizing the vacation of a portion of Old Town Hall Road, from Lorch Avenue to the southerly I-94 right-of-way. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Emmanuelle “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution releasing the utility easements within a portion of Old Town Hall Road, from Lorch Avenue to the southerly I-94 right-of-way. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Tewalt “to adopt the resolution”. Said motion passed by unanimous vote.

Council Member Werthmann left the Council Chamber.

JEFFERS PARK UTILITY EASEMENT

The City Council considered a resolution granting a permanent electrical utility easement to Northern States Power Company along Jeffers Park. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Klinkhammer “to adopt the resolution”.

Council Member Werthmann returned to the Council Chamber.

Said motion passed by unanimous vote.

ZONING

The City Council considered an ordinance rezoning properties located on the west side of Mary Place, south of Renee Drive from TR-1A to R-2 for existing duplexes as shown on Planning File Z-1607-17. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Mitchell “to adopt the ordinance”. Said motion passed by unanimous vote.

PARKING

The City Council considered an ordinance amending Title 10 of the Code of Ordinances entitled “Vehicles and Traffic” and Tables sections related to parking restrictions, enforcement, and meter changes of the City Code of Ordinances. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Xiong “to adopt the ordinance”. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Klinkhammer “amending the ordinance contained in Item No. 33 on the agenda of this City Council meeting relating to Title 10 entitled ‘Vehicles and Traffic’ and various Tables sections relating to parking restrictions, enforcement, and meter changes in Section 3 by removing the portion relating to Lincoln Avenue and Frederick Street.” Said motion to amend passed by unanimous voice vote. The Council then voted on the ordinance as amended. Said ordinance was adopted by unanimous vote.

LIVING WAGE

The City Council considered an ordinance amending Title 3 of the City Code of Ordinances entitled “Revenue and Finance” by creating Chapter 3.40 entitled “Living Wage”. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Xiong “to adopt the ordinance”. Council Members discussed the ordinance. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Beaton “to indefinitely postpone” and then was withdrawn by the mover and seconder to allow further discussion. Thereupon a motion was offered by Council Member Beaton “to table”. Said motion died for lack of a second. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Emmanuelle “to indefinitely postpone”. Said motion passed by the following vote: Aye: Council Members Beaton, Emmanuelle, Klinkhammer, Strobel, Tewalt, Von Haden, Werthmann, and Xiong.
Nay: Council Members Kincaid, Mitchell, and Weld.

PUBLIC ART

The City Council had first reading on an ordinance amending Chapter 9.76 of the Code of Ordinances of the City of Eau Claire entitled “Parks – Public Grounds” to include public art encroachments.

ZONING

The City Council had first reading on an ordinance rezoning property located east of Jeffers Road and west of the Northwest Community Park from R-1A to R-2P and to adopt the General Development Plan for duplex development as shown on planning File Z-1608-17.

ANNEXATION

The City Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 15th Assessment Ward, 2nd Aldermanic District, that part of Lot 1 of Certified Survey Map Number 1228 recorded in volume 6 on pages 266-268 located in the SE ¼ of the SW ¼ of Section 26-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 17-5A (Holzinger Petition). (Per Wisconsin Statutes 66.0217(8), an annexation ordinance requires a two-thirds (2/3) vote “of the elected members of the governing body”. Therefore, eight (8) affirmative votes of the eleven (11) elected Council members are required for adoption of an annexation ordinance.)

ADJOURNMENT

A motion was offered by Council Member Mitchell and seconded by Council Member Xiong “that this meeting does now adjourn without objection.” Said motion passed by unanimous consent.

Adjournment: August 22, 2017

Time: 5:45pm

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Cynthia Anderson, Deputy City Clerk